IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1026 OF 2007
in
WRIT PETITION NO.1830 OF 1996

Shri Rocky John Lopis .. Petitioner

vs

1.Mewalal Phirodhan Pardeshi.. Respondents
& ors.

Mr.P.R.Arjunwadkar for Respondent no.1.

CORAM : S.A.BOBDE, J

DATED : 3rd August, 2007

P.C.

1. This is an application for condonation of delay in setting aside abatement and for bringing legal heirs of the deceased petitioner on record.

2. The petitioner expired on 16th January, 2004. The period of 90 days expired on 21st April, 2004. An application for setting aside the abetment has been made on 12th April, 2007. A period of almost 3 years has passed Apparently, without any reason given in the application for condonation of delay, except that after the demise of the petitioner, the applicants approached one Advocate and requested him to contact the Advocate on record. That however, the Advocate had lost track of the matter.

3. Thereafter, the applicants have filed this application. No date on which the applicants came to know that the petition stood abated is given nor

on which date they contacted their Advocate nor any reason given as to why the Advocate could not attend to their matter thereafter. Now, they have managed to prefer this application. The reasons given for applying for condonation of delay are extremely vague and do not constitute sufficient cause. Application is therefore, dismissed.

(S.A.Bobde, J)